

MICHAEL N. FEUER, City Attorney, SBN 111529
ASHA GREENBERG, Managing Asst. City Attorney
ANH TRUONG, Asst. Supervising Deputy City Attor
RYAN BORHO, Deputy City Attorney, SBN 275484
200 N. Main Street, Suite 966
Los Angeles, California 90012
Telephone: 213.978.4090
Fax: 213.978.4670
E-Mail: Ryan.Borho@lacity.org

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Superior Court of California
County of Los Angeles**

MAY 12 2015

Sherri R. Carter, Executive Officer/Clerk
By Myrna Beltran, Deputy

Attorneys for Plaintiff

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,) CASE NO.

Plaintiff,

vs.

MATTHEW EDWARD KURZYNIEC, an Individual; LORA LYNNETTE KURZYNIEC, an Individual; and DOES 1 through 50, inclusive,

Defendant.

BC5 81709

-) **COMPLAINT FOR ABATEMENT AND INJUNCTION**
-)
-) **[HEALTH & SAFETY CODE SECTION 11570, *ET SEQ.*; CIVIL CODE SECTION 3479, *ET SEQ.*]**

PLAINTIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, alleges as follows, which allegations are based upon information and belief in so far as they pertain to the conduct of defendants:

I. INTRODUCTION

1. This action (“Action”) is brought and prosecuted by Plaintiff, the People of the State of California (“Plaintiff”), for the purpose of enjoining and abating a narcotics-related public nuisance which exists at the single-family residence located 10513 Variel Avenue, Los Angeles, California 91311 (“Property”). The Action is brought pursuant to the Narcotics Abatement Law (“NAL”), California Health and Safety Code section 11570, *et seq.*; and the Public Nuisance Law (“PNL”), Civil Code

1 sections 3479-3480.

2 2. The Property has been a known location for narcotics activity for years. Individuals
3 engaged in narcotics activity regularly visit the Property, traveling through the surrounding
4 neighborhood to do so. The Property's owner, Defendant Lora Lynnette ("Lynne") Kurzyniec, is over
5 eighty years old. Her son, Defendant Matthew Edward Kurzyniec (collectively with Lynne Kurzyniec,
6 "Defendants"), uses the Property, and/or allows the Property to be used, for narcotics and narcotics-
7 related activity. Defendant Matthew Kurzyniec also regularly rents rooms at the Property to individuals
8 with criminal records who, while staying at the Property, continue to engage in illegal activity, including
9 narcotics possession and the possession of illegal weapons and ammunition. This longstanding criminal
10 activity at the Property corrodes public safety in the surrounding neighborhood and causes a
11 significantly disproportionate drain on law enforcement resources.

12 3. In the time period since 2012, there have been more than a dozen arrests at or otherwise
13 connected to the Property. Specific examples include, but are not limited to, the following:

- 14 • On July 12, 2012, LAPD officers arrested five individuals at the Property, including
15 Defendant Matthew Kurzyniec and Jennifer Kurzyniec. The individuals were arrested on
16 narcotics charges and, in the case of Matthew Kurzyniec, on a charge of felon in possession
17 of ammunition.
- 18 • On November 8, 2013, LAPD officers responded to a radio call for shots fired and a woman
19 screaming at the Property. After responding to the scene, Officers arrested an individual for
20 unlawful possession of ammunition. The individual was renting a room at the Property from
21 Defendant Matthew Kurzyniec.
- 22 • Between July 2014 and November 2014, LAPD officers made three arrests after observing
23 narcotics transactions occur in vehicles parked outside the Property. In two instances, LAPD
24 officers observed Drake Kurzyniec, the grandson of Defendant Lynne Kurzyniec and son of
25 Defendant Matthew Kurzyniec, exit the vehicles and enter the Property immediately after
26 conducting a narcotics transaction.
- 27 • On March 26, 2015, LAPD officers arrested a suspect after observing him purchase narcotics
28 from an individual residing at the Property. Officers observed an individual exit the

1 Property, run over to the suspect's truck, engage in a narcotics transaction with the suspect,
2 and then exit the truck and re-enter the residence at the Property. After his arrest, the suspect
3 said that he had visited the Property to purchase heroin from "Sleepy," a resident at the
4 Property.

- 5 • On April 2, 2015, LAPD officers were conducting a narcotics investigation in the area of
6 Variel Avenue and San Jose Street in the City of Los Angeles due to numerous complaints of
7 narcotics activity associated with persons residing at and visiting the Property. During their
8 investigation, LAPD officers observed an individual they had previously arrested for
9 possession of heroin riding his bicycle erratically through the neighborhood and displaying
10 symptoms of being under the influence of narcotics. After the officers contacted the
11 individual, the individual said he had spent the last few nights at "Dead Body's house on the
12 hill," referring to the residence at the Property. After conducting a search of the individual
13 and recovering heroin and a hypodermic needle, the officers arrested the individual for
14 possession of heroin.
- 15 • On April 28, 2015, LAPD officers arrested two suspects for possession of heroin and
16 possession of narcotics paraphernalia after the suspects purchased narcotics from an
17 individual residing at the Property.

18 4. This nuisance abatement prosecution is intended to eliminate the unacceptable degree of
19 crime and disorder at and emanating from the Property; to make the Property inhospitable for the
20 criminals who now freely use it to facilitate their various narcotics and other criminal activities; and to
21 make the Property safe for its law-abiding inhabitants and for the people who live and do business in the
22 surrounding neighborhood.

23 **II. THE PARTIES AND THE PROPERTY**

24 A. **Plaintiff**

25 5. Plaintiff is the People of the State of California, acting through the Los Angeles City
26 Attorney, Michael N. Feuer, who brings this action pursuant to the authority granted to him by Health
27 and Safety Code section 11571 and Code of Civil Procedure section 731.

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1 B. Defendants

2 6. Defendant Lora Lynnette (“Lynne”) Kurzyniec is the record owner of the Property and
3 has been since 1968. Ms. Kurzyniec owned the Property with her husband, Edward Kurzyniec, as joint
4 tenants, until his death in 2012.

5 7. Defendant Matthew Edward Kurzyniec is the son of Lynne Kurzyniec. Since July 2012,
6 he has been arrested at least twice in connection with criminal activity at the Property.

7 8. Plaintiff is informed and believes and thereon alleges that Defendant Lynne Kurzyniec
8 resides at the Property along with, among others, Defendant Matthew Kurzyniec, and her adult
9 grandson, Drake Kurzyniec.

10 9. The true names and capacities of defendants sued herein as DOES 1 through 50,
11 inclusive, are unknown to Plaintiff, who therefore sues these defendants by such fictitious names
12 pursuant to Section 474 of the California Code of Civil Procedure. Each such defendant is responsible
13 in some manner for conducting, maintaining, or directly or indirectly permitting the unlawful activity
14 complained of herein. When the true names and capacities of said defendants have been ascertained,
15 Plaintiff will ask leave of the court to amend this complaint and to insert in lieu of such fictitious names
16 the true names and capacities of any fictitiously named defendants.

17 C. The Property

18 10. The Property is a single-family residence, located at the commonly known address of
19 10513 Variel Avenue, Los Angeles, California 91311. The Property has a reputation in the community,
20 and among law enforcement officers, as a narcotics and general nuisance location.

21 11. The Property has the following legal description: “That portion of Lots 27 and 28,
22 Section 18 of Chatsworth Park, in the County of Los Angeles, State of California, as per map recorded
23 in Book 30 Page 91 of Miscellaneous Records, in the Office of the County Recorder of Said County,
24 described as follows: Beginning at a point in the easterly line of said Lots 27 and 28, with the northerly
25 line of the southerly 165.00 feet of said lots; thence north 89° 58' 31" west along said northerly line a
26 distance of 90.00 feet to the westerly line of the easterly 90.00 feet of said Lots 27 and 28; thence north
27 0° 00' 29" east along said westerly line 111.39 feet; thence south 89° 58' 52" east 90.00 feet to a point
28 in said easterly lot line distant north 0° 00' 29" east thereon 111.40 feet from the point of beginning;

1 thence south 0° 00' 29" west along said easterly lot line 111.40 feet to said point of beginning.

2 Assessor's Parcel No: 2706-022-035."

3 **III. JURISDICTION AND VENUE**

4 12. Each of the acts alleged herein were performed, in whole or in part, in the City of Los
5 Angeles.

6 13. The Property that is the subject of this action is located in the City of Los Angeles.

7 **IV. THE NARCOTICS ABATEMENT LAW**

8 14. The abatement of a nuisance is a long established and well-recognized exercise of the
9 state's police power. (*People v. Barbiere* (1917) 33 Cal.App. 770, 775; *People ex rel. Hicks v. Sarong*
10 *Gals* (1974) 42 Cal.App.3d 556, 563.) Since its enactment in 1972, the principal purpose of the NAL
11 (Health & Saf. Code, § 11570, et seq.) is the abatement of buildings and places "used for the purpose of
12 unlawfully selling, serving, storing, keeping, manufacturing, or giving away any controlled substance,
13 precursor, or analog specified in this division . . ." (Health and Saf. Code, § 115700).

14 15. The NAL provides that "[e]very building or place used for the purpose of unlawfully
15 selling, serving, storing, keeping, manufacturing, or giving away any controlled substance, precursor, or
16 analog specified in this division, *and every building or place wherein or upon which those acts take*
17 *place*, is a nuisance which *shall* be enjoined, abated, and prevented . . . whether it is a public or private
18 nuisance." (Health & Saf. Code, § 11570 [emphasis added]; *People ex rel. Lungren v. Peron* (1997) 59
19 Cal.App.4th 1383, 1389; *Lew v. Superior Court* (1993) 20 Cal.App.4th 866, 870-71.)

20 16. Health and Safety Code section 11571 authorizes a city attorney to bring an action to
21 abate, prevent and perpetually enjoin such nuisances. It provides in relevant part: "Whenever there is
22 reason to believe that a nuisance as described in Section 11570 is kept, maintained, or exists in any
23 county, the district attorney of the county, or the city attorney of any incorporated city or of any city and
24 county, in the name of the people, may . . . maintain an action to abate and prevent the nuisance and
25 perpetually to enjoin the person conducting or maintaining it, and the owner, lessee, or agent of the
26 building or place in or upon which the nuisance exists from directly or indirectly maintaining or
27 permitting the nuisance."

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17. Health and Safety Code section 11573(a) provides that: "If the existence of the nuisance is shown in the action to the satisfaction of the court or judge, either by verified complaint or affidavit, the court or judge *shall* allow a temporary restraining order or injunction to abate and prevent the continuance or recurrence of the nuisance." (Emphasis added.) In addition, Health and Safety Code section 11581 provides, as an additional remedy, for the removal and sale of all fixtures and movable property on the premises used in aiding or abetting the nuisance and for the closure of the building for up to one year.

V. THE PUBLIC NUISANCE LAW

18. Civil Code section 3479 defines a public nuisance as “[a]nything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property” (*See City of Bakersfield v. Miller* (1966) 64 Cal.2d 93, 99 [“The Legislature has defined in general terms the word ‘nuisance’ in Civil Code section 3479”].)

19. Civil Code section 3480 defines a public nuisance as “one which affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.”

20. Civil Code section 3491 provides that the “remedies against a public nuisance are indictment or information, a civil action or abatement.” Abatement is “accomplished by a court of equity by means of an injunction proper and suitable to the facts of each case.” (*Sullivan v. Royer* (1887) 72 Cal. 248, 249.)

21. Code of Civil Procedure section 731 authorizes a city attorney to bring an action to enjoin or abate a public nuisance. It provides in relevant part “[a] civil action may be brought in the name of the people of the State of California to abate a public nuisance . . . by the city attorney of any town or city in which such nuisance exists.”

22. Where “a building or other property is so used as to make it a nuisance under the statute, the nuisance may be abated . . . notwithstanding that the owner had no knowledge that it was used for the unlawful purpose constituting a nuisance.” (*People ex rel. Bradford v. Barbiere* (1917) 33 Cal.App. 770, 779; see also *Sturges v. Charles L. Harney, Inc.* (1958) 165 Cal.App.2d 306, 318 [“a nuisance and

1 liability therefore may exist without negligence”]; *People v. McCadden* (1920) 48 Cal.App. 790, 792
2 [“A judgment supported on findings that such nuisance was conducted and maintained on the premises
3 in question, regardless of the knowledge of the owner thereof, is sufficient. Such knowledge on the part
4 of the owner . . . is unnecessary.”]; *People v. Peterson* (1920) 45 Cal.App. 457, 460 [“[I]t was not
5 necessary . . . for the trial court to find either, that the [defendants] threatened, and unless restrained,
6 would continue to maintain, aid, and abet, the nuisance, or that they knew the building was used in
7 violation of the act. . . . The existence of the nuisance was the ultimate fact in this case, and having been
8 found, supports the judgment.”].) This is because “the object of the act is not to punish; its purpose is to
9 effect a reformation of the property itself.” (*People v. Bayside Land Co.* (1920) 48 Cal.App. 257, 261.)

10 **VI. FIRST CAUSE OF ACTION FOR NARCOTICS ABATEMENT**

11 [Health and Safety Code Section 11570, et seq. –

12 **Against Defendants and DOES 1 through 50]**

13 23. Plaintiff hereby incorporates paragraphs 1 through 22, above, as if fully realleged herein.

14 24. Plaintiff is informed and believes and thereon alleges that Defendants, and DOES 1
15 through 50, are responsible for conducting, maintaining, and/or directly or indirectly permitting the
16 nuisance that currently exists at the Property. The Property, including every building or place wherein
17 or upon the Property which those acts take place, was used, and is being used, from an exact date
18 unknown but at least since July 2012, for the purposes of unlawfully selling, serving, storing, keeping,
19 manufacturing or giving away controlled substances in violation of Health and Safety Code section
20 11570, et seq.

21 25. Between July 2012 and the present, law enforcement officers have made more than a
22 dozen arrests for narcotics or narcotics-related offenses at, or directly related to, the Property. As a
23 result of the arrests, officers recovered, among other items, heroin, methamphetamine, marijuana, digital
24 scales, baggies, glass pipes, syringes, U.S. currency, and live ammunition.

25 26. The general reputation of the Property in the community is that it is a location where the
26 sale and storage of narcotics has taken place on an ongoing and continuous basis since at least July
27 2012.

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1 27. Defendants are the owners of the fixtures and moveable property contained within the
2 Property, and said fixtures and moveable property were used and are presently being used by the
3 Defendants in conducting and maintaining the nuisance as alleged herein.

4 28. Plaintiff has no plain, speedy and adequate remedy at law, and unless Defendants, and
5 DOES 1 through 50, are restrained and enjoined by order of this Court, they will continue to use, occupy
6 and maintain, and/or to aid, abet or permit, directly or indirectly, the use, occupation and maintenance of
7 the Property, together with the fixtures and appurtenances located therein, for the nuisance complained
8 of herein, to the great and irreparable damage of the public and in violation of California law.

9 **VII. SECOND CAUSE OF ACTION FOR PUBLIC NUISANCE**

10 [**Civil Code Section 3479, et seq. –**

11 **Against Defendants and DOES 1 through 50]**

12 29. Plaintiff hereby incorporates paragraphs 1 through 28, above, as if fully realleged herein.

13 30. Since at least 2012, through the present time, Defendants, and DOES 1 through 50, have
14 owned, operated, occupied, used, and/or directly or indirectly permitted to be occupied and used, the
15 Property in such a manner as to constitute a public nuisance in violation of Civil Code sections 3479 and
16 3480. The public nuisance, as described herein, is injurious to health, indecent or offensive to the
17 senses, and/or an obstruction to the free use of property, so as to substantially and unreasonably interfere
18 with the comfortable enjoyment of life or property by those persons living in the community
19 surrounding the Property. The public nuisance consists of, but is not limited to, the illegal sale, use, and
20 storage of controlled substances that occurs at the Property; the threatening and disorderly presence of
21 convicted felons at the Property; the presence of ammunition and the occurrence of violence at the
22 Property; and the state of disorder that pervades the Property and its surroundings.

23 31. Defendants, and DOES 1 through 50, in owning, conducting, maintaining, and/or
24 permitting the use of the Property, directly or indirectly, as a public nuisance, have engaged in wrongful
25 conduct and caused a serious threat to the general health, safety and welfare of the persons in the area
26 surrounding the Property.

27 32. Unless Defendants, and DOES 1 through 50, are restrained and enjoined by order of this
28 Court, they will continue to use, occupy and maintain, and to aid, abet or permit, directly or indirectly,

1 the use, occupation, and maintenance of the Property, together with the fixtures and appurtenances
2 located therein, for the purpose complained of herein, to the great and irreparable damage of Plaintiff
3 and in violation of California law.

4 **PRAYER**

5 WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT ORDER, ADJUDGE AND
6 DECREE AS FOLLOWS:

7 **AS TO THE FIRST CAUSE OF ACTION**

8 1. That Defendants, DOES 1 through 50, and the Property, be declared in violation of
9 Health and Safety Code section 11570, *et seq.*

10 2. That the Property, together with the fixtures and moveable property therein and thereon,
11 be found to constitute a public nuisance and be permanently abated as such in accordance with Section
12 11581 of the California Health and Safety Code.

13 3. That the Court grant a preliminary injunction, permanent injunction and order of
14 abatement in accordance with Section 11570, *et seq.* of the California Health and Safety Code, enjoining
15 and restraining each Defendant and their agents, officers, employees and anyone acting on their behalf,
16 from unlawfully selling, serving, storing, keeping, manufacturing, or giving away controlled substances
17 on the Property.

18 4. That Defendants, and DOES 1 through 50, be ordered to take certain steps and make
19 physical and managerial improvements to the Property in accordance with Health and Safety Code
20 section 11573.5, to remedy the nuisance on the Property and enhance the abatement process, including,
21 but not limited to, the following:

22 a. Post in visible and conspicuous locations on and around the premises signs
23 indicating, "THIS PROPERTY CLOSED TO THE PUBLIC. NO ENTRY WITHOUT PERMISSION.
24 L.A.M.C. 41.24." One sign must be printed or posted in a conspicuous manner at every walkway and
25 driveway entering any enclosed property or portion thereof and at a minimum of every fifty feet along
26 the boundary of any unenclosed lot. This requirement is met if at least one sign is conspicuously printed
27 or posted on the outside of every structure on such property, so as to be readable from each walkway and
28 driveway entering such property. The language "THIS PROPERTY CLOSED TO THE PUBLIC. NO

1 ENTRY WITHOUT PERMISSION" on said sign shall be at least two inches high. Provide a completed
2 and signed L.A.M.C. 41.24 TRESPASS ARREST AUTHORIZATION form to the Devonshire Division
3 of the Los Angeles Police Department.

4 b. In consultation with the LAPD, remove any non-structural fortifications and
5 structures that would inhibit service of a search warrant.

6 d. Do not install or use surveillance cameras on the Property or allow any occupant
7 at the Property to install or use surveillance cameras on the Property.

8 e. Post a sign in a place visible from the street: "NO DRUGS, NO DRUG
9 DEALERS, NO LOITERING, NO WEAPONS, NO DRINKING OF ALCOHOLIC BEVERAGES.
10 THE LOS ANGELES POLICE DEPARTMENT MAKES REGULAR AND FREQUENT PATROLS
11 OF THESE PREMISES."

12 f. Do not take any action which would impede, interfere, hinder, or otherwise
13 obstruct any investigation undertaken by any law enforcement agency which relates to the Property.

14 g. Comply with all orders and regulations of the Los Angeles Department of
15 Building and Safety, County Health Services Department, City Fire Department, and any other
16 regulatory agency and allow representatives of the Department of Building and Safety to enter and
17 inspect the Property.

18 h. Perform a thorough background check of applicants (every occupant who plans to
19 live at the Property) prior to renting which includes verification of employment history and rental
20 history for the last five years.

21 i. Require potential residents to list all narcotics-related convictions on a rental
22 application. Do not rent to anyone who has been convicted of a narcotics-related offense in the prior ten
23 years.

24 j. Require all residents (and every occupant who plans to live at the Property) to
25 provide a California Driver's License, California Identification Card, or other picture identification and
26 one other form of identification, as well as the license plate number of the residents' or occupants'
27 vehicles. Maintain a copy of the identification in the resident's rental file.

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1 k. Utilize a rental agreement or add an addendum to the rental agreement which
2 specifies that the following shall be grounds for immediate eviction:

3 (1) resident/occupant commits any violation of law regarding the possession,
4 use, storage or sale of narcotics, prostitution or gang-related crime, on or adjacent to the premises;

5 (2) resident/occupant negligently allows his or her occupant, guest, or visitor
6 to commit any violation of law regarding the possession, use, storage or sale of narcotics, prostitution or
7 gang-related crime on or adjacent to the premises.

8 l. Require all adult residents to sign a written rental agreement. Require each
9 resident to name all the occupants of resident's household in the rental agreement. No adult occupant
10 not listed in the rental agreement shall live at the Property. Screen each occupant. Advise each resident
11 that their application information will be provided to law enforcement upon request.

12 m. Diligently pursue evictions against residents who violate the rental agreement and
13 immediately order non-tenants arrested for, or engaging in, narcotics activity, to leave the Property. Do
14 not allow evicted residents or expelled non-residents to return to the Property.

15 n. Evict all tenants, including family members, engaging in narcotics activities (See
16 Los Angeles Municipal Code section 47.50).

17 o. Refuse to allow individuals previously evicted for illegal activities to be present at
18 the Property. Do not allow persons known to be previously arrested on or adjacent to the Property for
19 narcotics-related offenses to be present at the Property. Do not allow drug dealers, or their customers,
20 who may use the Property for the purpose of storing, using or distributing narcotics to be present at the
21 Property.

22 p. Do not allow the following individuals access to the Property at any time: (1)
23 Matthew Kurzyniec (DOB: 01/05/58); (2) Drake Kurzyniec (DOB: 08/14/90); (3) Jennifer Kurzyniec
24 (DOB: 03/26/80); (4) Juhan Chen (DOB: 06/09/91); (5) Brendon Haram Kim (DOB: 08/16/89); (6)
25 Jesus Estrada (DOB: 07/13/83); (7) Christopher Carson (DOB: 10/13/66); (8) Marc Ponessi (DOB:
26 04/30/70); (9) Eric John Lemire (DOB: 11/26/58); (10) Christy Jean Windgrove aka Christy Barnafi aka
27 Cristy Bledsoe (DOB: 04/16/76); (11) Robert Bledsoe (05/14/75); (12) Clarissa Harding (DOB:
28 10/17/79); (13) Michael Bryan Simone (DOB 03/18/78); (14) Tom Hitchcock (DOB: 07/17/82); (15)

1 Peter George Stephen (DOB: 11/06/92); Devon Robert Fields (DOB: 07/30/93); and Bianca Nicole
2 Porter (DOB: 1/20/92).

3 q. Provide the LAPD with a list of all current full- or part-time residents of the
4 Property, including all family members residing at the Property. Also provide LAPD with a list of all
5 residents' and occupants' cars, including license plates and descriptions of the vehicles. Continue to
6 provide the LAPD with an updated list when there are changes to the list.

7 5. That as part of the Judgment, an Order of Abatement be issued, and that the Property be
8 closed for a period of one year, not to be used for any purpose, and be under the control and custody of
9 this Court for said period of time; or, in the alternative, if the Court deems such closure to be unduly
10 harmful to the community, that Defendant, and DOES 1 through 50, pay an amount equal to the fair
11 market rental value of the Property for one year to the City or County in whose jurisdiction the nuisance
12 is located in accordance with Health and Safety Code section 11581 subdivision (c)(1).

13 6. That Defendants and DOES 1 through 50 each be assessed a civil penalty in an amount
14 not to exceed twenty-five thousand dollars (\$25,000.00).

15 7. That all fixtures and moveable property used in conducting, maintaining, aiding or
16 abetting the nuisance at the Property be removed by the LAPD and sold in the manner provided for the
17 sale of chattels under execution. Said fixtures and property shall be inventoried and a list prepared and
18 filed with this court.

19 8. That there shall be excepted from said sale, such property to which title is established in
20 some third party not a defendant, nor agent, officer, employee or servant of any defendant in this
21 proceeding.

22 9. That the proceeds from said sale be deposited with this court for payment of the fees and
23 costs of sale. Such costs may occur in closing said Property and keeping it closed, removal of said
24 property, and Plaintiff's costs in the action, including attorneys' fees, and such other costs as the court
25 shall deem proper.

26 10. That if the proceeds of the sale do not fully discharge all such costs, fees and allowances,
27 the Property shall also be sold under execution issued upon the order of the court or judge and the
28 proceeds of such sale shall be applied in a like manner. That any excess monies remaining after

1 payment of approved costs shall be delivered to the owner of said Property. Ownership shall be
2 established to the satisfaction of this court.

3 11. That Defendants, DOES 1 through 50, and any agents, trustees, officers, employees and
4 anyone acting on their behalf, and their heirs and assignees, be perpetually enjoined from transferring,
5 conveying, or encumbering any portion of the Property, for consideration or otherwise, without first
6 obtaining the Court's prior approval.

7 12. That Defendants, and DOES 1 through 50, be ordered to immediately notify any
8 transferees, purchasers, commercial lessees, or other successors in interest to the subject Property of the
9 existence and application of any temporary restraining order, preliminary injunction, or permanent
10 injunction to all prospective transferees, purchasers, commercial lessees, or other successors in interest,
11 before entering into any agreement to sell, lease or transfer the Property, for consideration or otherwise,
12 all or any portion of the Property that is the subject of this action.

13 13. That Defendants, and DOES 1 through 50, be ordered to immediately give a complete
14 and legible copy of any temporary restraining order and preliminary and permanent injunctions to all
15 prospective transferees, purchasers, lessees, or other successors in interest to the Property.

16 14. That Defendants, and DOES 1 through 50, be ordered to immediately request and procure
17 signatures from all prospective transferees, purchasers, lessees, or other successors in interest to the
18 subject Property, which acknowledges his/her respective receipt of a complete, legible copy of any
19 temporary restraining order, preliminary and permanent injunction, and deliver a copy of such
20 acknowledgment to the Los Angeles City Attorney's Office, c/o Deputy City Attorney Ryan Borho or
21 his designee.

22 15. That Plaintiff recover the costs of this action, including attorneys' fees and LAPD
23 investigative costs, in an amount not to exceed \$500,000.

24 AS TO THE SECOND CAUSE OF ACTION

25 1. That the Property, together with the fixtures and moveable property therein and thereon,
26 be declared a public nuisance and be permanently abated as such in accordance with Civil Code section
27 3491.

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2. That each Defendant and their agents, officers, employees and anyone acting on their behalf, and their heirs and assignees, be preliminarily and perpetually enjoined from operating, conducting, using, occupying, or in any way permitting the use of the Property as a public nuisance. Such orders should include, but not be limited to physical and managerial improvements to the Property, and such other orders as are appropriate to remedy the nuisance on the Property and enhance the abatement process.

3. Such costs as may occur in abating said nuisance at the Property and such other costs as the Court shall deem just and proper.

4. That Plaintiff be granted such other and further relief as the Court deems just and proper, including closure and/or demolition of the Property.

AS TO ALL CAUSES OF ACTION

1. That Plaintiff recover the amount of the filing fees and the amount of the fee for the service of process or notices which would have been paid but for Government Code section 6103.5, designating it as such. The fees may, at the Court's discretion, include the amount of the fees for certifying and preparing transcripts.

2. That Plaintiff be granted such other and further relief as the Court deems just and proper.

DATED: May 12, 2015 Respectfully submitted,

MICHAEL N. FEUER, City Attorney
ASHA GREENBERG, Managing Assistant City Attorney
ANH TRUONG, Asst. Superv. Deputy City Attorney

By: ~~RYAN BORHO~~, Deputy City Attorney
Attorneys for Plaintiff, THE PEOPLE OF THE STATE
OF CALIFORNIA